EXHIBIT H

The New York Times Company

Christina M. Koningisor
Legal Department

620 8th Avenue
New York, NY 10018

tel 212-556-1985
Christina.koningisor@nytimes.com

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VIA EMAIL

John Williams
Senior Counselor
Federal Communications Commission
Office of General Counsel
445 12th Street, SW
Washington, DC 20554

Re: New York Times FOIA Appeal – Case No. FCC-2017-764

Dear Mr. Williams,

I write to follow up on our telephone conversation on April 20, 2018. Based on that
conversation, The Times has developed a further proposal for the processing of the requested
records[1]:

Our understanding is that of the four datapoints we requested, two of them are not included in the
public ECFS data: the originating IP address and the User-Agent header, which instead exist in a
number of log files:

- one set of logs, generated by servers running a layer of the FCC's infrastructure, with
  each entry containing an least an originating IP address and a timestamp; and
- a second set of logs that contains a User-Agent header and a timestamp

You could call these Layers A and B, although there could be additional layers in between them.
We don't know what the logs look like, but here is an illustration of what a line from each of the
logs might contain:

> **Layer A**
> **1.1.1.1** - - [01/Jan/2017:09:00:00 +0000] "GET /index.html HTTP/1.1" 200 250

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[1] This proposal sets aside the question of whether IP addresses may be withheld under FOIA's privacy
exemptions.

Layer B
100.1.1.1 - - [01/Jan/2017:09:00:01 +0000] 200 250 "Mozilla/5.0"

Each comment passes through both layers, leaving a log entry in each. Above, Layer A recorded that a comment came from a user at IP address "1.1.1.1," and Layer B recorded that the User-Agent was "Mozilla/5.0."

The FCC can't definitively link "1.1.1.1" to "Mozilla/5.0" because i) there's no unique identifier recorded in each set of logs, and ii) it takes time to flow through each layer, so the timestamps for a single comment might be slightly different between the two sets of logs.

However, we can try to understand patterns of behavior by looking at the overall set of IP addresses and User-Agents along with their timestamps. Instead of asking for the FCC to link those attributes with comments, we would like enough of the original log contents so that we can do a statistical analysis of the data ourselves.

Any information beyond the fields we requested does not have to be produced to us. In Layer A, the IP address would be the user's IP address. Although we don't know exactly how the logs are formatted, log files for Layer B generally contain the IP address of the server in Layer A the comment has already passed through. (Each layer could contain multiple servers with their own log file. The Layer A IP address would point to which of those log files contain the associated user IP address, narrowing down the possibilities.)

Layer A servers, each with a log file
100.1.1.1.log
100.1.1.2.log
100.1.1.3.log
100.1.1.4.log

Layer B logs
100.1.1.1 [01/Jan/2017:09:00:01 +0000] "Mozilla/5.0"
100.1.1.2 [01/Jan/2017:09:00:02 +0000] "Mozilla/5.0"
(Layer A IP address, letting us know which log file in Layer A to look in)

Eric previously expressed concern about revealing the IP addresses of the FCC's servers. We don't need to know the actual IP addresses, just to link an address listed in a Layer B log file with a specific server in Layer A.

We believe this could accomplished at scale by simply doing a find-and-replace for each of the server IPs with some other unique identifier, revealing the association between log entries without revealing anything sensitive about the FCC's infrastructure. For example, replacing 100.1.1.1 with "A-1" and 100.1.1.2 with "A-2":

Layer A log files
A-1.log
A-2.log
A-3.log
A-4.log

Redacted Layer B logs
A-1 [01/Jan/2017:09:00:01 +0000] "Mozilla/5.0"
A-2 [01/Jan/2017:09:00:02 +0000] "Mozilla/5.0"

In sum, we're modifying our request to include logs from the FCC's web servers handling requests to www.fcc.gov/ecfs/filings/ and the FCC's API between April 26, 2017 and June 7, 2017, with any non-originating IP addresses removed using a method like the one described above, but retaining any User-Agent headers and originating IP addresses, along with their respective timestamps. Additionally we're requesting the comments, names and timestamps in ECFS submitted between the same dates.

Thank you for your assistance, and please don't hesitate to reach out with any questions.

Sincerely,

Christina Koningisor

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